Billie L.M. Addleman, #6-3690 Erin E. Berry, #7-6063 HIRST APPLEGATE, LLP P. O. Box 1083 Cheyenne, WY 82003-1083 Phone: (307) 632-0541 Fax: (307) 632-4999 baddleman@hirstapplegate.com eberry@hirstapplegate.com

### UNITED STATES DISTRICT COURT

### FOR THE DISTRICT OF WYOMING

CUSTODIA BANK, INC.	}
Plaintiff,	}
vs.	Civil No. 1:22-cv-00125-SWS
FEDERAL RESERVE BOARD OF GOVERNORS and FEDERAL RESERVE	} }
BANK OF KANSAS CITY,  Defendants.	<pre>} } }</pre>

# UNOPPOSED MOTION TO AMEND THE SCHEDULING ORDER

Defendants Federal Reserve Bank of Kansas City ("FRBKC") and Federal Reserve Board of Governors (the "Board" or, collectively, "Defendants") respectfully submit this unopposed motion requesting the Court enter an Order to amend the scheduling deadlines in this case. In light of current upcoming deadlines, Defendants request an expedited ruling on this motion. In support of this Motion, Defendants state as follows:

1. On December 20, 2023, Plaintiff Custodia Bank, Inc. ("Custodia") filed an omnibus motion for judgment as a matter of law, ahead of the Second Amended Scheduling

HIRST APPLEGATE, LLP

LAW OFFICES
P.O. BOX 1083
CHEYENNE, WYOMING 82003-1083

Order's deadline for dispositive motions, which was set for January 19, 2023.

2. In light of Custodia's motion and to facilitate the efficient briefing of dispositive motions, Defendants respectfully request to amend the scheduling order in accordance with the following schedule:

Briefing Schedule	Proposed Date
<b>Custodia Dispositive Motion</b>	Dec. 20, 2023
Amicus Briefs in Support of Custodia	Jan. 19, 2024
FRBKC Cross-Motion for Summary	Jan. 26, 2024
Judgment/Opposition	
Board Response	
<b>Daubert Motions</b>	
Amicus Briefs in Support of Defendants	Feb. 9, 2024
<b>Custodia Cross-Opposition to Defendants</b>	Feb. 16, 2024
Motions/Reply	
Daubert Responses	
FRBKC Replies in Support of Summary	Feb. 23, 2024
<b>Judgment and Daubert Motions</b>	
Pre-Trial Conference	Mar. 21, 2024
Bench Trial	Apr. 8, 2024

- 3. Under this proposed schedule, the parties' dispositive motions will be ripe for review by the same date as the Second Amended Scheduling Order, February 23, 2023, and the pre-trial conference and bench trial dates will remain the same.
- 4. Defendants' counsel has conferred with Plaintiff's counsel, and Plaintiff's counsel has agreed to the requested relief.

Dated: 22 December 2023.

## FEDERAL RESERVE BANK OF KANSAS CITY, Defendant

BY: /s/ Billie LM Addleman

Billie LM Addleman, #6-3690 Erin E. Berry, #7-6063 OF HIRST APPLEGATE, LLP Attorneys for Defendant FRBKC P. O. Box 1083 Cheyenne, WY 82003-1083 Phone: (307) 632-0541 Fax: (307) 632-4999

baddleman@hirstapplegate.com jfritz@hirstapplegate.com

Andrew Michaelson (pro hac vice)
Laura Harris (pro hac vice)
KING & SPALDING LLP
1185 Avenue of the Americas, 34th Floor
New York, NY 10036
Phone: (212) 556-2100
amichaelson@kslaw.com
lharris@kslaw.com

Jeffrey S. Bucholtz (pro hac vice) Joshua N. Mitchell (pro hac vice) Christine M. Carletta (pro hac vice) KING & SPALDING LLP 1700 Pennsylvania Ave NW Washington, DC 20006 Phone: (202) 737-0500

#### CERTIFICATE OF SERVICE

I certify the foregoing *Unopposed Motion to Amend the Scheduling Order* was served upon all parties to this action pursuant to the Federal Rules of Civil Procedure on 22 December 2023, and that copies were served as follows:

John K. Villa
Ryan Scarborough
Jamie Wolfe
Lauren Weinberger
Ian Swenson
Russell Mendelson
WILLIAMS & CONNOLLY
680 Maine Avenue SW
Washington, DC 20024
Attorneys for Plaintiff

☐ U.S. MAIL
☐ FED EX
☐ FAX
☐ HAND DELIVERED
☐ EMAIL
☑ E-FILE

Scott E. Ortiz WILLIAMS PORTER DAY & NEVILLE 159 North Wolcott, Suite 400 P O Box 10700 Casper, WY 82602 Attorneys for Plaintiff	☐ U.S. MAIL ☐ FED EX ☐ FAX ☐ HAND DELIVERED ☐ EMAIL ☑ E-FILE
Angela Tarasi KING & SPALDING LLP 1401 Lawrence Street Suite 1900 Denver, CO 80202 Attorney for Defendant Federal Reserve Bank of Kansas City	☐ U.S. MAIL ☐ FED EX ☐ FAX ☐ HAND DELIVERED ☐ EMAIL ☑ E-FILE
Mark Van Der Weide Richard M. Ashton Joshua P. Chadwick Yvonne F. Mizusawa Yonatan Gelblum Katherine Pomeroy Board of Governors of the Federal Reserve System 20 <sup>th</sup> Street and Constitution Avenue, N.W. Washington, D.C. 20551 Attorneys for Defendant Federal Reserve Board of Governors	☐ U.S. MAIL ☐ FED EX ☐ FAX ☐ HAND DELIVERED ☐ EMAIL ☑ E-FILE

s/ Shannon M. Ward
OF HIRST APPLEGATE, LLP Attorneys for Defendant FRBKC